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VIA ELECTRONIC MAIL AND
OVERNIGHT MAIL

August 5, 2011

Mr. David E. Danner
Executive Director and Commission Secretary
Washington Utilities and Transportation Commission,
P.O. Box 47250
1300 S. Evergreen Park Drive, S.W.
Olympia, Washington 98504-7250

RECEIVED
REGULATORY MANAGEMENT
2011 AUG -5 AM 10:14
STATE OF WA
UTIL. AND TRANSP.
COMMISSION

Re: Docket No. UE-111048

Dear Mr. Danner:

Enclosed please find the original and twelve (12) copies of the signature pages of KEVIN C. HIGGINS, NEAL TOWNSEND, OLIVIA SMITH, and KELLY FRANCONI to Protective Order No. 1 on behalf of THE KROGER CO. in the above-referenced matter. Please note that we also filed the above via electronic mail on same date.

By copy of this letter, all parties listed on the Certificate of Service have been electronically served. Please place this document of file.

Very Truly Yours,



Kurt J. Boehm, Esq.
BOEHM, KURTZ & LOWRY

M. Kew
Enclosures
cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing on all parties listed below by regular U.S. mail and electronic mail (when available) this 5th day of August, 2011.


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Mercer Island, WA 98040
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EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-111048/UG-111049
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KEVIN C. HIGGINS, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

STATE OF WASHINGTON
UTIL. AND TRANSPORTATION
COMMISSION

2011 AUG -5 AM 10:15

RECEIVED
REGULATORY MANAGEMENT

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

[Signature]
Signature

8-4-11
Date

SALT LAKE CITY, UT
City/State where this Agreement was signed

ENERGY STRATEGIES,

Employer

215 S. STATE ST., SUITE 200

PRINCIPAL

SALT LAKE CITY, UT 84111

Position and Responsibilities

Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-111048/UG-111049

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1. NEAL TOWNSEND

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

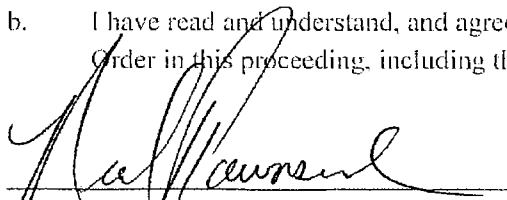
STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION
COMMISSION

2011 AUG -5 AM 10:15

RECEIVED
RECORDS MANAGEMENT

in this proceeding for THE KROGER Co. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.


Signature

8/4/11
Date

SALT LAKE CITY, UT
City/State where this Agreement was signed

ENERGY STRATEGIES, LLC

Employer

SR. CONSULTANT

Position and Responsibilities

215 S. STATE STREET, STE 200
SALT LAKE CITY, UT 84111

Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-111048/UG-111049
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, OLIVIA SMITH, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

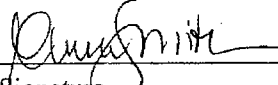
STATE OF WASH
UTIL AND TRANSP
COMMISSION

2011 AUG -5 AM 10:15

RECEIVED
PROCEEDS MANAGEMENT

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.


Signature

Aug 4, 2011
Date

SALT LAKE CITY, UTAH
City/State where this Agreement was signed

ENERGY STRATEGIES

Employer

CONSULTANT

Position and Responsibilities

215 SOUTH STAG STREET
SALT LAKE CITY, UT 84111

Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-111048/UG-111049

BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Kelly Ranone

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

STATE OF WASH
UTIL. AND TRANSP
COMMISSION

2011 AUG -5 AM 10:16

RECEIVED
RECORDS MANAGEMENT

in this proceeding for The Kroger Co. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Kelly Ranone
Signature

8/4/11
Date

Salt Lake City, VT
City/State where this Agreement was signed

Energy strategies

Employer

Consultant
Position and Responsibilities

215 S. State Street
SLC, UT 84111
Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

 No objection.

 Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date